

Annual Report
July 1, 2004 - June 30, 2005
DD Waiver Ombudsman Program

History:

The Indiana General Assembly created the DD Waiver Ombudsman Program in 1999. The Program became effective in July of that year. The program applies to an individual who has a developmental disability and who receives services under one of the Medicaid Waiver Programs.

Purpose: The Ombudsman receives, investigates, and attempts to resolve complaints and concerns that are made by or on behalf of an individual who have a developmental disability and who receives services under one of the Medicaid Waiver programs.

Outcome: The desired outcomes of the program are:

- (1) complaints are addressed, investigated, and when possible resolved;
- (2) promote effective coordination among programs that provide legal services for individuals with developmental disabilities, the division, providers for waiver services to individuals with developmental disabilities and providers of other necessary or appropriate services; and
- (3) trends are identified so that recommendations for needed changes in the service delivery system can be implemented.

Accomplishments: Over the year of service, 114 complaints were investigated. The following chart reflects the complaint activity:

Type of Complaint	Fully Substantiated	Not Substantiated	Substantiated In Part	% Of Total	Total
Adult Foster Care Financial	2			1.75%	2
Assisted Living Financial	1		3	3.51%	4
Assisted Living Exploitation		1		0.88%	1
Attendant Care	1		4	4.39%	5
Behavior Manage Financial	3			2.63%	3
Case Management	2		4	5.26%	6
Community Habilitation Health/Safety	3	1		3.51%	4
Community Transition		1		0.88%	1
Crisis Assistance Abuse		1		0.88%	1
Day Services			2	1.75%	2
Environmental Mod	1			0.88%	1
Health Care Health/Safety	1		1	1.75%	2
Independence Assistance	1		2	2.63%	3

Nursing	1		1	1.75%	2
Respite	3		1	3.51%	4
Residential Habilitation and Supports - Abuse	2	2		3.51%	4
Residential Habilitation and Supports - Exploitation		1		0.88%	1
Residential Habilitation and Supports- Financial	5	4	8	14.91%	17
Residential Habilitation and Supports - Other		2	2	3.51%	4
Residential Habilitation and Supports - Problems with Habitable Residence	6			5.26%	6
Residential Habilitation and Supports -Services	3	5	11	16.67%	19
Residential Habilitation and Supports- Staffing	2	2		3.51%	4
Residential Habilitation and Supports - Treatment and Respect	4		3	6.14%	7
Residential Habilitation and Supports -Health and Safety	3	1		3.51%	4
Specialized Med. Equip			1	0.88%	1
Speech Therapy		1		0.88%	1
Supported Employ.		1		0.88%	1
Transportation	1			0.88%	1
Vehicle Mod. Equipment	3			2.63%	3
			Total	100.00%	114

Identified Trends:

1 The number of complaints has increased over issues of the budgets not being approved and the overall length of time it takes to get a budget approved. Case managers and families have contacted the Ombudsman for assistance and

intervention to assist with these issues. These concerns accounted for almost 15% of the complaints received by the Ombudsman's office.

The Ombudsman will continue to assist individuals and their families to obtain the services that they need by interventions with the waiver specialists and working with the case managers to submit budgets that reflect the needs of the individuals.

2 A number of complaints have been received regarding services that the individuals were or were not receiving. These included issues from individuals being prevented from moving to a new provider after they or their legal guardian had selected a new provider, individuals being told that they have change providers and move when they stated that they did not want to move, an individual on the Support Service Waiver that needed more services then could be provided on that waiver, a nursing home administrator complaining about the length of time it was taking for the individual in rehabilitation in the nursing home to return to supported living, and individuals that wanted to get out of waiver services. This accounted for almost 17% of the complaints.

The Ombudsman will continue to attend individual support team meetings and work the families and individuals to come up with solutions to meet the needs of individuals. This involves utilizing unpaid community supports and family supports in addition to the services provided by the waiver program.

3 Complaints about the respect for individuals in services are increasing. These are from the individuals receiving services, from their families, and from members of the individual support team that have expressed concerns about family members who are not showing the individuals respect and dignity. These include concerns about parents who have become legal guardians for their adult children even though the adult has the skills to speak for themselves. This accounted for a little over 6% of the complaints received.

The Ombudsman will continue to represent the individual receiving Waiver Services to make sure that they are not taken advantage of and their guardians are representing their best interest. The Ombudsman will continue to work with families of the individuals that receive services to assure that the individual is allowed to be as independent as possible and to help families to understand the waiver program.

4 Concerns about case managers are increasing and account for 5% of the complaints. These complaints have come from individuals receiving services, from their families, and from other members of the treatment team.

The Ombudsman will continue to address concerns as needed and as requested to include providing the individuals receiving services and their families pick lists to select new case managers, information on what to look for in a case manager, and addressing issues of concerns brought to the attention of the Ombudsman.

